

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

2007 SEP 24 11 01 AM

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:02-cr-005  
also 3:07-cv-249

-vs-

District Judge Walter Herbert Rice  
Chief Magistrate Judge Michael R. Merz

:

ROBERT A. STONEROCK,

Defendant.

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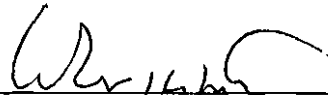
**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 193), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on September 20, 2007, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this § 2255 proceeding be dismissed without prejudice to its renewal after completion of appellate proceedings.

September 21, 2007.

  
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Walter Herbert Rice  
United States District Judge